

<b>PHA 5-Year and Annual Plan</b>	<b>U.S. Department of Housing and Urban Development Office of Public and Indian Housing</b>	<b>OMB No. 2577-0226 Expires 4/30/2011</b>
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<b>1.0</b>	<b>PHA Information</b> PHA Name: <u>Lincoln County Public Housing Agency</u> PHA Code: <u>MO199</u> PHA Type: <input type="checkbox"/> Small <input type="checkbox"/> High Performing <input type="checkbox"/> Standard <input checked="" type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): <u>10/2011</u>												
<b>2.0</b>	<b>Inventory</b> (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: _____ Number of HCV units: <u>2094</u>												
<b>3.0</b>	<b>Submission Type</b> <input type="checkbox"/> 5-Year and Annual Plan <input checked="" type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only												
<b>4.0</b>	<b>PHA Consortia</b> <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)												
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program <table border="1"> <tr> <th>PH</th> <th>HCV</th> </tr> <tr> <td>PHA 1:</td> <td></td> </tr> <tr> <td>PHA 2:</td> <td></td> </tr> <tr> <td>PHA 3:</td> <td></td> </tr> </table>	PH	HCV	PHA 1:		PHA 2:		PHA 3:	
PH	HCV												
PHA 1:													
PHA 2:													
PHA 3:													
<b>5.0</b>	<b>5-Year Plan.</b> Complete items 5.1 and 5.2 only at 5-Year Plan update.												
<b>5.1</b>	<b>Mission.</b> State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years:												
<b>5.2</b>	<b>Goals and Objectives.</b> Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.												
<b>6.0</b>	<b>PHA Plan Update</b> (a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission: <b>Please see attached changes.</b> (b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions: <b>The public may obtain copies of the 5 year and Annual Plans at 816 Bus. Hwy 61 N, Bowling Green, MO 63334.</b> <b>The following elements listed below are readily available to the public: Eligibility, Selection and Admissions Policies, Financial resources, rent determinations, operations and management, grievance procedures, civil rights certification and Violence Against Women Act.</b>												
<b>7.0</b>	<b>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers.</b> <b>The housing assistance program of Lincoln County currently has 44 homeownership participants</b>												
<b>8.0</b>	<b>Capital Improvements.</b> Please complete Parts 8.1 through 8.3, as applicable.												
<b>8.1</b>	<b>Capital Fund Program Annual Statement/Performance and Evaluation Report.</b> As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> , form HUD-50075.1, for each current and open CFP grant and CFFP financing.												
<b>8.2</b>	<b>Capital Fund Program Five-Year Action Plan.</b> As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i> , form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.												
<b>8.3</b>	<b>Capital Fund Financing Program (CFFP).</b> <input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.												

9.0	<p><b>Housing Needs.</b> Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.</p> <p><b>The Lincoln County PHA understands the most important factors for the families in this jurisdiction are affordability, supply and quality of housing. Elderly and disabled families feel that accessibility and size of unit are important with location relatively close to physicians and shopping centers. Families are concerned with location as to whether or not it is close to schools and other needed services for their family.</b></p> <p><b>The Lincoln County PHA waiting list was opened for one day on January 19, 2011. In this one day only, over 600 families applied for rental assistance. This large number of applications in one day is an indication of economic conditions of the jurisdiction served by Lincoln County PHA.</b></p> <p><b>The Lincoln County waiting lists consist of the following: There are currently 629 families on the Lincoln County PHA waiting list. Of those, 577 families are Extremely low income (<math>\leq 30\%</math> AMI); 51 families are Very low income (<math>&gt;30\%</math>, but <math>&lt;50\%</math> AMI); and 1 family is low income (<math>&gt;50\%</math> but <math>&lt;80\%</math> AMI). Of the 629 families on the waiting list, 416 are families with children and 122 elderly or disabled. The waiting list is currently closed and is expected to remain closed until sometime in 2012.</b></p> <p><b>Funding for 2011-2012 remains an unknown at this point, but monthly analysis of the funding the Lincoln County PHA has received from the continued resolution shows that of the 2094 baseline units, only approximately 2000 families can be assisted.</b></p>
9.1	<p><b>Strategy for Addressing Housing Needs.</b> Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. <b>Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.</b></p> <p><b>The housing authority will continue to meet the housing needs of the families within the jurisdiction of Lewis, Lincoln, Macon Marion, Monroe, Montgomery, Pike Ralls, Randolph, Shelby, Warren and the Cuivre Vandalia township by providing safe, decent, housing for families that qualify for the rental assistance. The housing authority will continue to provide a high level of management services along with assisting families with a broad range of social services through the community action agency programs.</b></p> <p><b>The funding received is analyzed on a monthly basis to determine the number of families who will receive assistance. This monthly analysis also enables the Lincoln County PHA to gauge when any families can be called in from the waiting list.</b></p>
10.0	<p><b>Additional Information.</b> Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year Plan.</p> <p><b>Currently there are 44 families who are purchasing their home with funds from the Housing Choice Voucher Homeownership Program. The Lincoln County PHA has offered the Homeownership option for over 10 years. In 2010, 31 FSS participants completed homeownership counseling and 6 purchased their home.</b></p> <p><b>The Family Self Sufficiency program has been very successful and has offered the participants to not only earn escrow money, but also have the support and encouragement to become successful. Currently there are 101 in the FSS Program. Of those 101, 47 are currently escrowing. Over the last year, 23 participants enrolled in post secondary classes and 8 of those graduated. 29 participants have moved from unemployed or working part-time to full-time employment.</b></p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"</p> <p><b>Substantial deviations or significant amendments or modifications are defined as discretionary changes in plans or policies of the PHA that fundamentally change the mission, goals, objectives of the PHA and that require formal approval by the board.</b></p>
11.0	<p><b>There were no comments or challenges made from the Resident Advisory Board to the proposed changes to the PHA Plan.</b></p>

11.0	<p><b>Required Submission for HUD Field Office Review.</b> In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. <b>Note:</b> Faxed copies of these documents will not be accepted by the Field Office.</p> <ul style="list-style-type: none"> <li>(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights)</li> <li>(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)</li> <li>(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)</li> <li>(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)</li> <li>(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)</li> <li>(f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.</li> <li>(g) Challenged Elements</li> <li>(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only)</li> <li>(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)</li> </ul>
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This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced 5-Year and Annual PHA Plans. The 5-Year and Annual PHA plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form is to be used by all PHA types for submission of the 5-Year and Annual Plans to HUD. Public reporting burden for this information collection is estimated to average 12.68 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

**Privacy Act Notice.** The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality

## **Instructions form HUD-50075**

**Applicability.** This form is to be used by all Public Housing Agencies (PHAs) with Fiscal Year beginning April 1, 2008 for the submission of their 5-Year and Annual Plan in accordance with 24 CFR Part 903. The previous version may be used only through April 30, 2008.

### **1.0 PHA Information**

Include the full PHA name, PHA code, PHA type, and PHA Fiscal Year Beginning (MM/YYYY).

### **2.0 Inventory**

Under each program, enter the number of Annual Contributions Contract (ACC) Public Housing (PH) and Section 8 units (HCV).

### **3.0 Submission Type**

Indicate whether this submission is for an Annual and Five Year Plan, Annual Plan only, or 5-Year Plan only.

### **4.0 PHA Consortia**

Check box if submitting a Joint PHA Plan and complete the table.

### **5.0 Five-Year Plan**

Identify the PHA's Mission, Goals and/or Objectives (24 CFR 903.6). Complete only at 5-Year update.

**5.1 Mission.** A statement of the mission of the public housing agency for serving the needs of low-income, very low-income, and extremely low-income families in the jurisdiction of the PHA during the years covered under the plan.

**5.2 Goals and Objectives.** Identify quantifiable goals and objectives that will enable the PHA to serve the needs of low income, very low-income, and extremely low-income families.

**6.0 PHA Plan Update.** In addition to the items captured in the Plan template, PHAs must have the elements listed below readily available to the public. Additionally, a PHA must:

- (a) Identify specifically which plan elements have been revised since the PHA's prior plan submission.
- (b) Identify where the 5-Year and Annual Plan may be obtained by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on its official website. PHAs are also encouraged to provide each resident council a copy of its 5-Year and Annual Plan.

#### **PHA Plan Elements. (24 CFR 903.7)**

1. **Eligibility, Selection and Admissions Policies, including Deconcentration and Wait List Procedures.** Describe the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV and unit assignment policies for public housing; and procedures for maintaining waiting lists for admission to public housing and address any site-based waiting lists.

2. **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA Operating, Capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources.
3. **Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units.
4. **Operation and Management.** A statement of the rules, standards, and policies of the PHA governing maintenance management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA.
5. **Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants.
6. **Designated Housing for Elderly and Disabled Families.** With respect to public housing projects owned, assisted, or operated by the PHA, describe any projects (or portions thereof), in the upcoming fiscal year, that the PHA has designated or will apply for designation for occupancy by elderly and disabled families. The description shall include the following information: **1)** development name and number; **2)** designation type; **3)** application status; **4)** date the designation was approved, submitted, or planned for submission, and; **5)** the number of units affected.
7. **Community Service and Self-Sufficiency.** A description of: **(1)** Any programs relating to services and amenities provided or offered to assisted families; **(2)** Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs under Section 3 and FSS; **(3)** How the PHA will comply with the requirements of community service and treatment of income changes resulting from welfare program requirements. **(Note: applies to only public housing).**
8. **Safety and Crime Prevention.** For public housing only, describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must include: **(i)** A description of the need for measures to ensure the safety of public housing residents; **(ii)** A description of any crime prevention activities conducted or to be conducted by the PHA; and **(iii)** A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities.

9. **Pets.** A statement describing the PHAs policies and requirements pertaining to the ownership of pets in public housing.
10. **Civil Rights Certification.** A PHA will be considered in compliance with the Civil Rights and AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction.
11. **Fiscal Year Audit.** The results of the most recent fiscal year audit for the PHA.
12. **Asset Management.** A statement of how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory.
13. **Violence Against Women Act (VAWA).** A description of: **1)** Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; **2)** Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and **3)** Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families.

#### 7.0 Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers

- (a) **Hope VI or Mixed Finance Modernization or Development.** **1)** A description of any housing (including project number (if known) and unit count) for which the PHA will apply for HOPE VI or Mixed Finance Modernization or Development; and **2)** A timetable for the submission of applications or proposals. The application and approval process for Hope VI, Mixed Finance Modernization or Development, is a separate process. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>
- (b) **Demolition and/or Disposition.** With respect to public housing projects owned by the PHA and subject to ACCs under the Act: **(1)** A description of any housing (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and **(2)** A timetable for the demolition or disposition. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD's website at: [http://www.hud.gov/offices/pih/centers/sac/demo\\_dispo/index.cfm](http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm)  
**Note:** This statement must be submitted to the extent that **approved and/or pending** demolition and/or disposition has changed.
- (c) **Conversion of Public Housing.** With respect to public housing owned by a PHA: **1)** A description of any building or buildings (including project number and unit count) that the PHA is required to convert to tenant-based assistance or

that the public housing agency plans to voluntarily convert; **2)** An analysis of the projects or buildings required to be converted; and **3)** A statement of the amount of assistance received under this chapter to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/centers/sac/conversion.cfm>

- (d) **Homeownership.** A description of any homeownership (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval.
- (e) **Project-based Vouchers.** If the PHA wishes to use the project-based voucher program, a statement of the projected number of project-based units and general locations and how project basing would be consistent with its PHA Plan.

**8.0 Capital Improvements.** This section provides information on a PHA's Capital Fund Program. With respect to public housing projects owned, assisted, or operated by the public housing agency, a plan describing the capital improvements necessary to ensure long-term physical and social viability of the projects must be completed along with the required forms. Items identified in 8.1 through 8.3, must be signed where directed and transmitted electronically along with the PHA's Annual Plan submission.

**8.1 Capital Fund Program Annual Statement/Performance and Evaluation Report.** PHAs must complete the *Capital Fund Program Annual Statement/Performance and Evaluation Report* (form HUD-50075.1), for each Capital Fund Program (CFP) to be undertaken with the current year's CFP funds or with CFFP proceeds. Additionally, the form shall be used for the following purposes:

- (a) To submit the initial budget for a new grant or CFFP;
- (b) To report on the Performance and Evaluation Report progress on any open grants previously funded or CFFP; and
- (c) To record a budget revision on a previously approved open grant or CFFP, e.g., additions or deletions of work items, modification of budgeted amounts that have been undertaken since the submission of the last Annual Plan. The Capital Fund Program Annual Statement/Performance and Evaluation Report must be submitted annually.

Additionally, PHAs shall complete the Performance and Evaluation Report section (see footnote 2) of the *Capital Fund Program Annual Statement/Performance and Evaluation* (form HUD-50075.1), at the following times:

1. At the end of the program year; until the program is completed or all funds are expended;
2. When revisions to the Annual Statement are made, which do not require prior HUD approval, (e.g., expenditures for emergency work, revisions resulting from the PHAs application of fungibility); and
3. Upon completion or termination of the activities funded in a specific capital fund program year.

#### 8.2 Capital Fund Program Five-Year Action Plan

PHAs must submit the *Capital Fund Program Five-Year Action Plan* (form HUD-50075.2) for the entire PHA portfolio for the first year of participation in the CFP and annual update thereafter to eliminate the previous year and to add a new fifth year (rolling basis) so that the form always covers the present five-year period beginning with the current year.

**8.3 Capital Fund Financing Program (CFFP).** Separate, written HUD approval is required if the PHA proposes to pledge any

portion of its CFP/RHF funds to repay debt incurred to finance capital improvements. The PHA must identify in its Annual and 5-year capital plans the amount of the annual payments required to service the debt. The PHA must also submit an annual statement detailing the use of the CFFP proceeds. See guidance on HUD's website at:  
<http://www.hud.gov/offices/pih/programs/ph/capfund/cffp.cfm>

**9.0 Housing Needs.** Provide a statement of the housing needs of families residing in the jurisdiction served by the PHA and the means by which the PHA intends, to the maximum extent practicable, to address those needs. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**

**9.1 Strategy for Addressing Housing Needs.** Provide a description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**

**10.0 Additional Information.** Describe the following, as well as any additional information requested by HUD:

- (a) Progress in Meeting Mission and Goals.** PHAs must include (i) a statement of the PHAs progress in meeting the mission and goals described in the 5-Year Plan; (ii) the basic criteria the PHA will use for determining a significant amendment from its 5-year Plan; and a significant amendment or modification to its 5-Year Plan and Annual Plan. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**
- (b) Significant Amendment and Substantial Deviation/Modification.** PHA must provide the definition of "significant amendment" and "substantial deviation/modification". **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan.)**

- (c)** PHAs must include or reference any applicable memorandum of agreement with HUD or any plan to improve performance. **(Note: Standard and Troubled PHAs complete annually).**

**11.0 Required Submission for HUD Field Office Review.** In order to be a complete package, PHAs must submit items (a) through (g), with signature by mail or electronically with scanned signatures. Items (h) and (i) shall be submitted electronically as an attachment to the PHA Plan.

- (a)** Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*
- (b)** Form HUD-50070, *Certification for a Drug-Free Workplace (PHAs receiving CFP grants only)*
- (c)** Form HUD-50071, *Certification of Payments to Influence Federal Transactions (PHAs receiving CFP grants only)*
- (d)** Form SF-LLL, *Disclosure of Lobbying Activities (PHAs receiving CFP grants only)*
- (e)** Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet (PHAs receiving CFP grants only)*
- (f)** Resident Advisory Board (RAB) comments.
- (g)** Challenged Elements. Include any element(s) of the PHA Plan that is challenged.
- (h)** Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.1.
- (i)** Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.2.

## Changes to Lincoln County PHA Plan

### Chapter 1 (page 1-1)

#### Jurisdiction

**Current Policy:** The current jurisdiction of the agency is Lewis, Lincoln, Macon, Marion, Monroe, Montgomery, Pike, Ralls, Randolph, Shelby, ~~St. Charles~~, and Warren.

**Board Approved Policy:** The current jurisdiction of the agency is Lewis, Lincoln, Macon, Marion, Monroe, Montgomery, Pike, Ralls, Randolph, Shelby, and Warren.

### Chapter 3 (page 3-1)

#### Overview of the Application Process

**Current Policy:** Applications will be mailed to interested parties

**Board Approved Policy:** Delete the current policy wording above.

### Chapter 6 (page 6-9)

#### Retroactive Calculation Methodology

**Current Policy:** At the agency's option, the agency may enter into a Payment Agreement with the family.

**Board Approved Policy:** Delete the above line.

### Chapter 12 (page 12-5)

#### Interim Reexamination Policy

**Current Policy:** Families will be required to report increases in household income of more than \$25.00 per month and an interim reexamination will be completed for the family. The additional income must be reported in a timely manner.

**Board Approved Policy:** Families will be required to report increases in household income of more than \$200.00 per month and an interim reexamination will be completed for the family. The additional income must be reported within 30 days.

## Chapter 12 (page 12-5)

### Other Interim Reporting Issues

**Current Policy:** An interim reexamination will be scheduled for families with zero income every **30 days.**

**Board Approved Policy:** An interim reexamination will be scheduled for families with zero income **every quarter.**

## Chapter 12 (page 12-7)

### Procedures when the Change is Not Reported by the Family in a Timely Manner

**Current Policy:** Increase in Tenant Rent will be effective retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any **overpaid** housing assistance and **may be required to sign a Repayment Agreement.**

**Board Approved Policy:** increase in tenant rent will be effective retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any overpaid housing assistance and **will be required to reimburse the PHA in full within 30 days of notification. If the tenant fails to comply with the reimbursement within the 30 days, their assistance will be terminated.**

## Chapter 15 (page 15-2)

### Mandatory Denial and Termination

**Current Policy:** The agency will immediately deny admission or participation to the Section 8 program of **persons convicted** of possession, manufacturing, or producing methamphetamine (commonly referred to as speed) in violation of any Federal, State, or Local law.

**Board Approved Policy:** The agency will immediately deny admission or participation to the Section 8 program of persons **ever arrested, charged, or convicted** of possession, manufacturing, or producing methamphetamine (commonly referred to as speed) **or any precursor drug used in the production of methamphetamine** in violation of any Federal, State, or Local Law.



## Chapter 15 (page15-3)

### Grounds for Denial or Termination of Assistance

**Current policy:** The family breaches an agreement with a PHA to pay amounts owed to the PHA, or amounts paid to an owner by a PHA. ~~The PHA at its discretion may offer the family the opportunity to enter into a repayment agreement. The PHA will prescribe the terms of the agreement. (See “Repayment Agreements” chapter).~~

**Board Approved Policy:** The family breaches an agreement with any PHA to pay amounts owed to the PHA, or amounts paid to an owner by a PHA.

## Chapter 15 (page 15-6)

### HUD Definitions

**Current Policy:** Drug-related Criminal Activity is the illegal manufacture, distribution, use or possession with the intent to manufacture, sell distribute or use a controlled substance. ~~Drug-related criminal activity means on or near the premises.~~

**Board Approved Policy:** Drug-related criminal activity is the illegal manufacture, sale, distribution, use or possession with the intent to manufacture, sell, distribute or use a controlled substance.

### Standard for Violation

**Current Policy:** The agency will deny participation in the program to applicants and terminate assistance to participants in cases where the agency determines there is reasonable cause to believe that ~~the person is illegally using a controlled substance or if the person~~ abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents including cases where the agency determines that there is a pattern of illegal use of a controlled substance or pattern of alcohol abuse.

**Board Approved Policy:** The agency will deny participation in the program to applicants and terminate assistance to participants in cases where the agency determines there is reasonable cause to believe that ~~the person or any family member or guest is currently engaged in or engaging in any illegal use of any controlled substance, including cases where the agency determines that there is a pattern of illegal use of a controlled substance. Denial or termination will also be determined if a person or any family member or guest~~ abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents including cases where the agency determines that there is a pattern of alcohol abuse.

## **Standard for Violation**

**Current Policy:** “Engaged in or engaging in” violent criminal activity means any act within the past three years by applicants or participants, household members, or guests which involved criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the persons of another, which resulted in the arrest and /or conviction of the applicant or participant, household members, or guests.

**Board Approved Policy:** “Engaged in” or “Engaging in” **drug related** or violent criminal activity means any act within the past three years by applicants or participants, household members, or guests which involved criminal activity that has one of its elements; **the possession**, the use, attempted use, **or attempt to obtain a controlled substance**; or involvement with the threat of physical force against the person or their property, which resulted in the arrest and/or conviction of the applicant or participant household members, or guests.

## **Chapter 15 (page 15-7)**

### **Drug Related and Violent Criminal Activity**

**Current Policy:** Applicants will be denied assistance if they have been:

Arrested, convicted, or evicted (whichever date comes first) from a unit assisted under the Housing Act 1937 due to drug related or violent criminal activity within the last three years prior to the date of the certification.

**Board Approved Policy:** Applicants will be denied assistance if they have been:

Arrested, convicted, or evicted (whichever date comes first) from a unit assisted under the Housing Act 1937 due to drug related or violent criminal activity within the last three years prior to the date of the certification.

**Arrested, charged, or convicted of possession, manufacturing, or producing methamphetamine (commonly referred to as speed) or any precursor drug used in the production of methamphetamine.**

**Current Policy:** Participants will be terminated who have been:

Arrested, convicted, or evicted (whichever date comes first) from a unit assisted under the Housing Act of 1937 due to drug-related or violent criminal activity within the last three years prior to the date of the notice to terminate assistance, and whose activities have created a disturbance in the building or neighborhood.

**Board Approved Policy:** Participants will be terminated who have been:

Arrested, convicted, or evicted (whichever date comes first) from a unit assisted under the Housing Act of 1937 due to drug-related or violent criminal activity within the last three years prior to the date of the notice to terminate assistance, and whose activities have created a disturbance in the building or neighborhood.

**Arrested, charged, or convicted of possession, manufacturing, or producing methamphetamine (commonly referred to as speed) or any precursor drug used in the production of methamphetamine.**

## **Chapter 15 (page 15-8)**

### **Termination of Assistance for Participants**

#### **Current Policy:**

If the family violates the lease by engaging in drug-related or violent criminal activity, the agency will terminate assistance.

#### **Board Approved Policy:**

If the family violates the lease by engaging in drug-related or violent criminal activity, the agency will terminate assistance.

**“Engaged in” or “Engaging in” drug related or violent criminal activity means any act within the past three years by applicants or participants, household members, or guests which involved criminal activity that has one of its elements; the possession, the use, attempted use, or attempt to obtain a controlled substance; or involvement with the threat of physical force against the person or their property, which resulted in the arrest and/or conviction of the applicant or participant household members, or guests.**

## **Chapter 18 ( page 18-1)**

### **Payment Agreement for Families**

#### **Current Policy:**

A Payment Agreement as used in this Plan is a document entered into between the agency and a person who owes a debt to the agency. It is similar to a promissory note, but contains more details regarding the nature of the debt, the terms of payment, any special provisions of the agreement, and the remedies available to the agency upon default of the agreement.

The agency will prescribe the terms of the payment agreement, including determining whether to enter into a payment agreement with the family based on the circumstances surrounding the debt to the agency.

There are some circumstances in which the agency will not enter into a payment agreement. They are:

If the family already has a Payment Agreement in place.

If *the* agency determines that the family committed program fraud.

#### **Proposed Policy:** Delete Section above and replace with:

**The agency will require payment in full within 30 days of notification for all families who are found to have a debt owed to the agency.**

**Failure to pay full amount of the debt owed within the 30 days shall result in termination of assistance. The agency may turn any unpaid debts owed over to the county prosecutor and/or HUD office of the Inspector General.**

## **Chapter 18 (page 18-2)**

### **Debts Owed For Claim**

**Current Policy:** If a family owes money to the agency for claims paid to an owner:

**The agency will review the circumstances resulting in the overpayment and decide whether the family must pay the full amount.**

**The agency will enter into a Payment Agreement.**

A payment will be considered to be in arrears if:

The payment is not received by the close of the business day 15 days after the due date.

If the family's payment agreement is in arrears, and the family has not contacted or made arrangements with the agency, the agency will:

Require the family to pay the balance in full

Grant an extension of 30 days if the family has good cause to be in arrears.

If the family requests a move to another unit and has a payment agreement in place for the payment of an owner claim, and the payment agreement is not in arrears:

The family will be permitted to move.

If the family requests a move to another unit and is in arrears on a payment agreement for the payment of an owner claim:

If the family pays the past due amount, they will be permitted to move.

**Board Approved Policy:** Delete the above section

**Chapter 18 (page (18-2/18-3)**

**Debts Due to Misrepresentations/Non-Reporting of Information:**

**Family Error/Late Reporting**

**Current Policy:** Families who owe money to the agency due to the family's failure to report increases in income will be required to repay in accordance with the guidelines in the Payment Agreement Section of this Chapter.

**Board Approved Policy:** Families who owe money to the agency due to the family's failure to report increases in income will be required to repay the full amount of the overpayment within 30 days. Failure to pay the full amount of the debt owed within the 30 days shall result in termination of assistance. The agency may turn any unpaid debts owed over to the county prosecutor and/or HUD Office of the Inspector General.

## **Program Fraud**

**Current Policy:** Families who owe money to the agency due to program fraud ~~will be required to repay in accordance with the guidelines in the Payment Agreement Section of this Chapter.~~

**Board Approved Policy:** Families who owe money to the agency due to program fraud **will be required to repay the full amount of the overpayment within 30 days. Failure to pay the full amount of the debt owed within the 30 days shall result in termination of assistance. The agency may turn any unpaid debts owed over to the county prosecutor and/or HUD Office of the Inspector General.**

## **Payment Procedures for Program Fraud**

**Current Policy:** Families who commit program fraud or untimely reporting of increases in income will be subject to the following procedures:

The amount of the monthly payment will be determined in accordance with the family's current income.

**Board Approved Policy:** **Delete the above statements.**

## **Chapter 18 (page 18-3)**

### **Guidelines for Payment Agreements**

#### **Current Policy:**

Payment Agreements will be executed between the agency and the head of household and/or co-head or spouse. The Repayment Agreement must be executed by the Housing Director or their designee. The agreement will be in default when a payment is delinquent by 30 days.

Monthly payments may be decreased in cases of family hardship and if requested with reasonable notice from the family, verification of the hardship, and the approval of the Housing Director or their designee.

**Additional Monies Owed:** If the family already has a Payment Agreement in place and incurs an additional debt to the agency.

The agency will not enter into more than one Payment Agreement with the family.

If a Payment Agreement is in arrears more than 60 days, any new debts must be paid in full.

**Board Approved Policy:** **Delete the above section**

## Notification of Rights Under the Violence Against Women Act Section 8 Housing Choice Voucher Program Owner/Manager

A new federal law reauthorizing the 2005 Violence Against Women Act (VAWA) and signed into law January 5, 2006, provides certain rights and protections to Section 8 assisted tenants and member of their household.

### Protection Against Eviction or Termination of Assistance

- . Under VAWA, if an applicant or participant in the Section 8 program is otherwise eligible, the fact that the applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission.

VAWA also states that an incident or incidents of actual or threatened domestic violence, dating violence or stalking:

- a. Will not be considered to be a "serious or repeated" violation of the lease if the tenant is the victim of the incident of actual or threatened domestic violence, dating violence or stalking, and
- b. Shall not be good cause for terminating the tenant's assistance, tenancy, or occupancy rights if the tenant is the victim of such actual or threatened domestic violence, dating violence or stalking.

This means that the tenant may not be evicted, nor may his or her assistance be terminated, based on such an incident of actual or threatened domestic violence, dating violence or stalking where the tenant is the victim.

- 3. In addition, although you may evict a tenant for certain types of criminal activity as provided in the lease, and the housing agency may terminate a household's assistance in such cases, VAWA states that you may not evict, or terminate tenancy or occupancy rights if the criminal activity is
  - a. Directly related to domestic violence, dating violence or stalking: and
  - b. Engaged in by a member of the household, or any guest, or another person under the tenant's control: and
  - c. The tenant or a member of the tenant's immediate family is the victim or threatened victim of this criminal activity.

### **PORTABILITY TO A NEW LOCATION**

As you may know, Section 8 households in good standing may move to another location after one year of assistance and their assistance will follow them. However, the law does not allow this if the family was in violation of its lease when it moved. VAWA creates an exception where a family has complied with all other Section 8 requirements but moved out in violation of their lease in order to protect the health or safety of an individual who:

Was or is the victim of domestic violence, dating violence or stalking, and  
Reasonably believe he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit.

## **CERTIFICATION**

If you notify a tenant that you intend to terminate the tenant's tenancy based on a matter that is an incident of domestic violence, dating violence, or stalking, and the tenant claims protection against eviction or termination of assistance under VAWA, you must contact your county office staff. Your tenant will be given a HUD-approved certification form in order to document the incidents in question. The tenant will have 14 business days from receipt of the form to complete it and return to North East Community Action Corporation (NECAC). Other forms may be considered for verification. If the tenant does not complete this task within the time allowed, he or she will not have protection under VAWA and you may proceed with terminating tenancy and evicting the tenant without reference to VAWA.

## **CONFIDENTIALITY**

Information provided to you relating to the fact that the tenant or another member of the tenant's household is a victim of domestic violence, dating violence, or stalking must be retained by you in confidence. This information may not be shared or disclosed by you or your agents or employees without the tenant's consent except as necessary for an eviction proceeding or as otherwise required by law.

## **LIMITATIONS**

VAWA provides certain limitations and clarifications concerning tenants' rights as described above. In particular, you should know that nothing contained in VAWA:

1. Prevents you **from terminating tenancy and evicting, for any violation not involving domestic violence for which VAWA provide the protections described above. However, you may not, in such cases, apply any** more demanding standard to the tenant that you would to other Section 8 assisted families.

2. Prevents you from terminating tenancy and evicting where you can demonstrate "an actual and imminent threat to other tenants or those employed at or providing services to the **property**". **Where you can demonstrate such a threat, the tenant will not be protected from termination** of tenancy and eviction by VAWA\_

3. Limits your ability to comply with court orders addressing rights of access to or control of the property. This includes civil protection entered for the protection of the victim or relating to destruction or possession of property.

4. Supersedes any federal, state or local law that provides greater protections than VAWA.

## **OWNER OR MANAGER RIGHT TO REMOVE PERPETRATOR OF DOMESTIC VIOLENCE**

**VAWA also creates a** new authority under Federal law that allows an owner or manager of a Section 8 assisted property to evict, remove, or terminate assistance to any individual tenant or lawful occupant of the property who engages in criminal acts of physical violence against family members or others. This may be done without evicting or taking any other action adverse to the other occupants.

## **FURTHER INFORMATION**

NECAC encourages you to consult your legal counsel to develop a suitable written policy of your own that complies with VAWA, and you are further encouraged to conduct the necessary training of property management personnel concerning VAWA requirements.



**PHA Certifications of Compliance  
with PHA Plans and Related  
Regulations**

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
Expires 4/30/2011

**PHA Certifications of Compliance with the PHA Plans and Related Regulations:  
Board Resolution to Accompany the PHA 5-Year and Annual PHA Plan**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the \_\_\_ 5-Year and/or X Annual PHA Plan for the PHA fiscal year beginning 10/2011, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:*

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA certifies that there has been no change, significant or otherwise, to the Capital Fund Program (and Capital Fund Program/Replacement Housing Factor) Annual Statement(s), since submission of its last approved Annual Plan. The Capital Fund Program Annual Statement/Annual Statement/Performance and Evaluation Report must be submitted annually even if there is no change.
4. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
6. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
7. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
8. For PHA Plan that includes a policy for site based waiting lists:
  - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2006-24);
  - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
  - Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
  - The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
  - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
10. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
11. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.

12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
14. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
15. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
16. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
17. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
19. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
20. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
21. The PHA provides assurance as part of this certification that:
  - (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
  - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
  - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
22. The PHA certifies that it is in compliance with all applicable Federal statutory and regulatory requirements.


Lincoln County Public Housing Agency  
PHA Name

MO199  
PHA Number/HA Code

       5-Year PHA Plan for Fiscal Years 20       - 20      

  X   Annual PHA Plan for Fiscal Years 2011 - 2012

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
Lyndon Bode	Board Chairman/Presiding Commissioner, LCPHA
Signature 	Date 5-24-11

## Civil Rights Certification

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
Expires 4/30/2011

### Civil Rights Certification

#### Annual Certification and Board Resolution

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioner, I approve the submission of the Plan for the PHA of which this document is a part and make the following certification and agreement with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:*

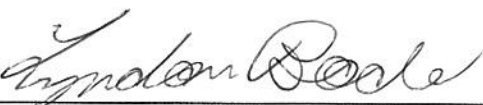
The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990, and will affirmatively further fair housing.

Lincoln County PHA

MO199

PHA Name

PHA Number/HA Code

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)	
Name of Authorized Official Lyndon Bode	Title Board Chairman/Presiding Commissioner, LCPHA
Signature 	Date 5-24-11

**Certification by State or Local Official of PHA Plans Consistency with  
the Consolidated Plan**

I, Andy Papen the CDBG Program Manager certify  
that the Five Year and Annual PHA Plan of the Lincoln County Public Housing Agency is  
consistent with the Consolidated Plan of State of Missouri prepared  
pursuant to 24 CFR Part 91.

Andy Papen 4-6-11

Signed / Dated by Appropriate State or Local Official